

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

RUBEN ALANIZ, JR.,  
TDCJ No. 2224325,

Plaintiff,

v.

AMANDA LOWE, *et al.*,

Defendants.

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Civil Action No. 7:18-cv-00141-M-BP

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION**  
**OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. No objections were filed. The District Court reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

It is therefore **ORDERED** that Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE** against Defendants in their official capacities for lack of subject matter jurisdiction and **DISMISSED WITH PREJUDICE** against Defendants in their individual capacities for failure to state a claim. To the extent Plaintiff's claims are barred by *Heck v. Humphrey*, 512 U.S. 477 (1994), those claims are **DISMISSED WITH PREJUDICE**, but Plaintiff is permitted to reassert those claims when the conditions under *Heck* are met.

**SO ORDERED** this 8th day of July, 2019.

  
BARBARA M. G. LYNN  
CHIEF JUDGE